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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/427,986	10/27/1999	JOHN SAKSUN SR.	SAK007/JTN	4058

7590 10/04/2002

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CANADA

EXAMINER

LEE, EDMUND H

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/427,986

Applicant(s)

SAKSUN, JOHN

Examiner

EDMUND H LEE

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The request filed on 8/15/02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/427986 is acceptable and a CPA has been established. An action on the CPA follows.

2. Claims 31-32, and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "said insert receiving pocket" (cl 31, ln 2) lacks antecedent basis in the claim.

The phrase "said attachment screw" (cl 34, ln 2) lacks antecedent basis in the claim.

Correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Bradley et al (USPN 3212783) in view of Burr (USPN 3218072). In regard to claim 1, Bradley et al teach the basic claimed process including positioning weights within a mold (col 3, ln 38-col 5, ln 60; figs 1-4); positioning a metal shaft anchoring element within the mold (col 3, ln 38-col 5, ln 60; figs 1-4); molding a main body around the

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weights and the shaft anchoring element, including forming a metal-lined shaft receiving bore in the main body through the anchoring element (col 3, ln 38-col 5, ln 60; figs 1-4); and forming a metal to resin bond between the element and the main body (col 3, ln 38-col 5, ln 60; figs 1-4). However, Bradley et al does not teach forming a front face on the main body. Burr teaches molding an insert/front face into a golf club head of either metal or plastic in order to gain more distance (col 1, lns 10-70; figs 1-4). Bradley et al and Burr are combinable because they are analogous with respect to molding golf clubs. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form a front face in the golf club head of Bradley et al in order to increase distance. In regard to claims 28-34, Bradley et al teach securing the weights on mounting pins (col 3, ln 38-col 5, ln 60; figs 1-4); and providing an attachment screw generally perpendicular to the receiving bore (col 3, ln 38-col 5, ln 60; figs 1-4).

However, Bradley et al does not teach molding a front insert pocket; machining an insert pocket; molding an insert into the insert pocket; machining a desired loft and grooves into the front face; and passing the attachment pin through the anchoring element. Burr teaches molding or machining a recess into a golf club head; and molding an insert into the recess (col 2, ln 70-col 3, ln 13; figs 1-4). Bradley et al and Burr are combinable for the reasons stated above. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to either mold or machine a recess into the face of Bradley et al and then molding an insert therein as taught by Burr in order to mold a club that hits longer. In regard to machining a desired loft and grooves into the front face, such is well-known in the golf club art in order to produce clubs with different

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distances and playability. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to machine a desired loft and grooves into the face of the club of Bradley et al (modified) in order to achieve the above result. In regard to passing the attachment pin through the anchoring element, such is well-known in the golf club art in order to prevent the shaft from moving because of the torque created by the swing. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made pass the attachment screw of Bradley et al completely through the anchoring element of Bradley et al in order to achieve the above result.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Glover (USPN 3692306) teaches molding a club having weights therein and using an attachment pin.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Edmund Lee whose telephone number is (703) 305-4019. The examiner can normally be reached on Monday-Wednesday and Friday from 8:00 AM to 4:00 PM. The fax number for Examiner Edmund Lee is (703) 872-9615


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan H. Silbaugh, can be reached on (703) 308-3829.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

EHL

October 1, 2002


Edmund Lee 10/1/02
Patent Examiner, AU 1732